

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

In re: Bair Hugger Forced Air Warming
Products Liability Litigation

MDL No. 15-2666 (JNE/DTS)

This Document Relates To:

Connell, 16-cv-2351-JNE-DTS
Oeltjen, 17-cv-3062-JNE-DTS
Folmer, 17-cv-3259-JNE-DTS
Platine, 17-cv-3476-JNE-DTS
Crume, 17-cv-3617-JNE-DTS
Richey, 17-cv-5323-JNE-DTS

**DEFENDANTS' FIFTH MOTION
TO DISMISS FOR FAILURE
TO COMPLY WITH PRETRIAL
ORDER NO. 23 AND/OR
FED. R. CIV. P. 25(a) AND 41(b)**

Pursuant to Pretrial Order No. 23 and Federal Rules of Procedure 25(a) and 41(b), Defendants 3M Company ("3M") and Arizant Healthcare Inc. ("Arizant") (collectively, "Defendants") respectfully move the Court to dismiss the following actions with prejudice for failure to comply with Pretrial Order No. 23 and Fed. R. Civ. P. 25(a) and 41(b):

Case Number	Title	Firm Name
16-cv-2351-JNE-DTS	<i>Connell v. 3M Co., et al.</i>	Kennedy Hodges, L.L.P.
17-cv-3062-JNE-DTS	<i>Oeltjen v. 3M Co., et al.</i>	Kennedy Hodges, L.L.P.
17-cv-3259-JNE-DTS	<i>Folmer v. 3M Co., et al.</i>	Kennedy Hodges, L.L.P.
17-cv-3476-JNE-DTS	<i>Platine v. 3M Co.</i>	Levin, Papantonio, Thomas, Mitchell, Rafferty, Proctor P.A.
17-cv-3617-JNE-DTS	<i>Crume v. 3M Co., et al.</i>	Kennedy Hodges, L.L.P.
17-cv-5323-JNE-DTS	<i>Richey v. 3M Co., et al.</i>	Kennedy Hodges, L.L.P.

As set forth in the Memorandum in Support of Defendants' Fifth Motion to Dismiss Cases for Failure to Comply with Pretrial Order No. 23 and/or Fed. R. Civ. P. 25(a) and 41(b),

the above-referenced six (6) matters have failed to meet the requirements of this Court's Order and the federal rules, and dismissal is appropriate.

Dated: December 6, 2018

Respectfully submitted,

s/Benjamin W. Hulse

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